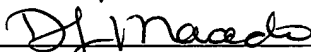


CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on Apr 16, 1999

  
Donna J. Macedo

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

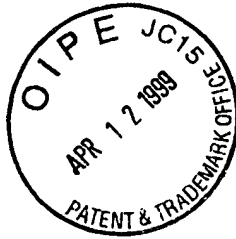
In the application of:

YUAN, Zhengyu  
And  
CHEN, Zhong-Xiao

Serial No.: 09/248,158

Filing Date: February 9, 1999

For: DIRECT ADSORPTION  
SCINTILLATION ASSAY FOR  
MEASURING ENZYME ACTIVITY  
AND ASSAYING BIOCHEMICAL  
PROCESSES



Examiner: Not assigned

Group Art Unit: 1643

PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY  
UNDER 37 C.F.R. § 3.71

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Versicor, Inc., the assignee of the entire right, title and interest in this patent application,  
under 37 C.F.R. § 3.71 hereby appoints:

Mani Adeli (Reg No. 39,585)  
Erwin J. Basinski (Reg No. 34,773)  
Paula A. Borden (Reg No. 42,344)  
Barry E. Bretschneider (Reg No. 28,055)  
Alan W. Cannon (Reg No. 34,977)  
Robert K. Cerpa (Reg No. 39,933)

Sanjay Bagade (Reg No. 42,280)  
Frank P. Becking (Reg No. 42,309)  
Sean Brennan (Reg No. 39,917)  
Nicholas Buffinger (Reg No. 39,124)  
Mark R. Carter (Reg No. 39,131)  
Thomas E. Ciotti (Reg No. 21,013)

Raj S. Davé (Reg No. 42,465)  
Stephen C. Durant (Reg No. 31,506)  
Hector Gallegos (Reg No. 40,614)  
Charles D. Holland (Reg No. 35,196)  
Richard D. Jordan (Reg No. 33,519)  
Ararat Kapouytian (Reg No. 40,044)  
Antoinette F. Konski (Reg No. 34,202)  
Susan K. Lehnhardt (Reg No. 33,943)  
David C. Lundmark (Reg No. 42,815)  
Thomas D. Mays (Reg No. 34,524)  
Kate H. Murashige (Reg No. 29,959)  
Catherine M. Polizzi (Reg No. 40,130)  
Robert Saltzberg (Reg No. 36,910)  
Debra A. Shetka (Reg No. 33,309)  
E. Thomas Wheelock (Reg No. 28,825)  
Karen K. Wong (Reg No. P-44,409)

E. Victor Donahue (Reg No. 35,492)  
Cheryl L. Franke (Reg No. P-44,113)  
Douglas Hodder (Reg No. 41,840)  
Madeline I. Johnston (Reg No. 36,174)  
Cindy S. Kaplan (Reg No. 40,043)  
Phanesh B. Koneru (Reg No. 40,053)  
Jung-Hua Kuo (Reg No. 41,918)  
Wen Liu (Reg No. 32,822)  
Harry J. Macey (Reg No. 32,818)  
Gladys H. Monroy (Reg No. 32,430)  
Dahna S. Pasternak (Reg No. 41,411)  
William C. Revelos (Reg No. 42,101)  
J. Michael Schiff (Reg No. 40,253)  
Lee K. Tan (Reg No. 39,447)  
Thomas G. Wiseman (Reg No. 35,046)  
Frank Wu (Reg No. 41,386)

all of Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018,  
telephone (650) 813-5600, to prosecute this application and transact all matters in the United  
States Patent and Trademark Office connected therewith, said appointment to be to the exclusion  
of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

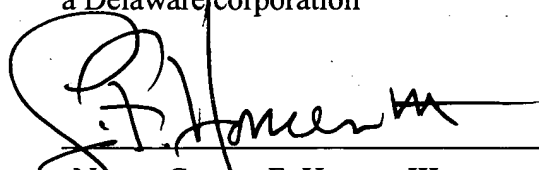
Please direct all written communications relative to this application to:

Robert K. Cerpa  
Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018

Please direct all telephone communications to Robert K. Cerpa at (650) 813-5715.

VERSICOR, INC.  
a Delaware corporation

Dated: 20 Mar., 1999

  
Name: George F. Horner, III  
Title: Chief Executive Officer  
Address: Versicor, Inc.  
34790 Ardentech Court  
Fremont, CA 94555

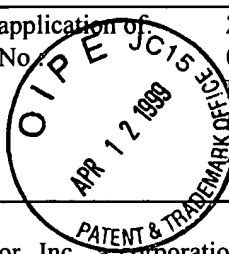
## CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Docket No. 342312000600

In the application of Zhengyu YUAN and Zhong-Xiao CHEN

Serial No. 09/248,158

Filed: February 9, 1999

For: DIRECT ADSORPTION SCINTILLATION ASSAY FOR MEASURING ENZYME ACTIVITY  
AND ASSAYING BIOCHEMICAL PROCESSES

Versicor, Inc., a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above; a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From :  
To :  
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

2. From :  
To :  
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 20 Mar 1999

Name: George F. Horner, III

Title: Chief Executive Officer

Address: Versicor, Inc.

34790 Ardentech Court  
Fremont, CA 94555

ASSIGNMENT  
JOINT

COPY

THIS ASSIGNMENT, by Zhengyu YUAN and Zhong-Xiao CHEN (hereinafter referred to as the assignors), residing at 35645 Beeching Lane, Fremont, CA 94536 and 3325 Adelaide Way, Belmont, CA 94002, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in DIRECT ADSORPTION SCINTILLATION ASSAY FOR MEASURING ENZYME ACTIVITY AND ASSAYING BIOCHEMICAL PROCESSES, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/248,158 filed on February 9, 1999; and

WHEREAS, Versicor, Inc., a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 34790 Ardentech Court, Fremont, CA 94555 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

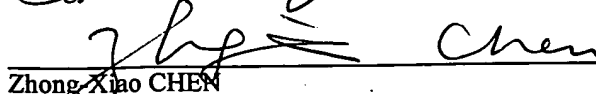
AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

3/18/99  
Date

  
Zhengyu YUAN

3/19/99  
Date

  
Zhong-Xiao CHEN